

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

RAYMOND WOODSON, JR.,)	
)	
Petitioner,)	
)	
vs.)	NO. 3:06-CV-554 PS
)	
SUPERINTENDENT)	
INDIANA STATE PRISON,)	
)	
Respondent.)	

OPINION AND ORDER

On September 6, 2006, Raymond Woodson, Jr., a *pro se* prisoner, filed this habeas corpus petition attempting to challenge his criminal conviction in CR71-1300 on December 29, 1971 in Marion Superior Court. Petitioner Woodson previously filed a habeas corpus petition seeking to challenge this same conviction in *Woodson v. Superintendent Indiana State Prison*, 3:06-CV-328 (N.D. Ind. filed May 22, 2006). “A claim presented in a second or successive habeas corpus application under section 2254 that was presented in a prior application shall be dismissed.” 28 U.S.C. § 2244(b)(1). Furthermore,

Before a second or successive application permitted by [28 U.S.C. § 2244(b)(2) which was not presented in a prior application] is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.

28 U.S.C. § 2244(b)(3)(A). Here, Woodson has not obtained an order from the court of appeals.

“A district court ***must*** dismiss a second or successive petition . . . unless the court of appeals has given approval for its filing.” *Nunez v. United States*, 96 F.3d 990, 991 (7th Cir. 1996) (emphasis in original).

Therefore, the petition is **DISMISSED** for want of jurisdiction.

SO ORDERED.

ENTERED: October 10, 2006

s/ Philip P. Simon
PHILIP P. SIMON, JUDGE
UNITED STATES DISTRICT COURT